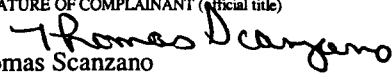



United States District Court		DISTRICT Eastern District of Pennsylvania	
UNITED STATES OF AMERICA v. LAKEE HERRING		DOCKET NO.	
		MAGISTRATE'S CASE NO. <div style="text-align: center; font-size: 1.2em;">03-155-m</div>	
Complaint for violation of Title 18 United States Code § 2113(d), 924(c), 2119			
NAME OF JUDGE OR MAGISTRATE Honorable CAROL SANDRA MOORE WELLS		OFFICIAL TITLE U.S. Magistrate Judge	LOCATION Philadelphia, PA
DATE OF OFFENSE February 19, 2003	PLACE OF OFFENSE Philadelphia, PA	ADDRESS OF ACCUSED (if known)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:			
<p>On or about February 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant LAKEE HERRING, by force and violence and by intimidation, took from the person and presence of employees of the PNC Bank, a federally insured bank located at 801 Christian Street, Philadelphia, PA, money, that is, approximately \$1200 in United States currency, belonging to and in the care, custody, control, management, and possession of such bank, and in doing so assaulted such persons and placed the lives of such persons in jeopardy by the use of a dangerous weapon, that is, an assault rifle.</p> <p>On or about February 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant LAKEE HERRING, during and in relation to the armed robbery of the PNC Bank at 801 Christian Street, brandished a firearm, that is, a Norinco SKS semi-automatic assault rifle.</p> <p>On or about February 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant LAKEE HERRING, with the intent to cause death or serious bodily harm, attempted to take a motor vehicle, that is, a Ford Bronco, that had been transported, shipped, and received in interstate commerce from the person and presence of another by force and violence and by intimidation.</p>			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:			
SEE AFFIDAVIT ATTACHED HERETO.			
MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.		SIGNATURE OF COMPLAINANT (official title)  Thomas Scanzano	
		OFFICIAL TITLE Special Agent, Federal Bureau of Investigation	
Sworn to before me and subscribed in my presence.			
SIGNATURE OF MAGISTRATE ⁽¹⁾  Honorable CAROL SANDRA MOORE WELLS, United States Magistrate Judge		DATE <div style="text-align: center; font-size: 1.2em;">2/19/03</div>	

1) See Federal Rules of Criminal Procedure rules 3 and 54.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA
v.

LAKEE HERRING

WARRANT FOR ARREST

CASE NUMBER: 03-155-M

To: The United States Marshal and any Authorized
United States Officer

YOU ARE HEREBY COMMANDED to arrest LAKEE HERRING

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation notice ☐ Probation violation petition

charging him or her with (brief description of offense)

On or about February 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant LAKEE HERRING, by force and violence and by intimidation, took from the person and presence of employees of the PNC Bank, a federally insured bank located at 801 Christian Street, Philadelphia, PA, money, that is, approximately \$1200 in United States currency, belonging to and in the care, custody, control, management, and possession of such bank, and in doing so assaulted such persons and placed the lives of such persons in jeopardy by the use of a dangerous weapon, that is, an assault rifle.

On or about February 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant LAKEE HERRING, during and in relation to the armed robbery of the PNC Bank at 801 Christian Street, brandished a firearm, that is, a Norinco SKS semi-automatic assault rifle.

On or about February 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, defendant LAKEE HERRING, with the intent to cause death or serious bodily harm, attempted to take a motor vehicle, that is, a Ford Bronco, that had been transported, shipped, and received in interstate commerce from the person and presence of another by force and violence and by intimidation.

In violation of Title 18 United States Code, Section(s) 2113(d), 924(c), 2119

Honorable CAROL SANDRA MOORE WELLS

United States Magistrate Judge

Name of Issuing Officer

Title of Issuing Officer

Carol S. Wells

2/19/03

Philadelphia, PA

Signature of Issuing Officer

Date and Location

Bail fixed at \$ _____ by _____

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER
Thomas Scanzano

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

Special Agent, Federal Bureau of Investigation

AFFIDAVIT

THOMAS SCANZANO, being duly sworn and on oath, deposes and says:

1. I am a Special Agent of the Federal Bureau of Investigation and have been so employed for approximately one year. I am presently assigned to a squad investigating, among other crimes, robberies of federally insured banks. In the course of my duties, I have been assigned to investigate the robbery of the PNC Bank located at 801 Christian Street, Philadelphia, PA, on February 19, 2003. The statements in this affidavit are based on my own investigation, on interviews of witnesses, and on information provided by other law enforcement personnel, and are true and correct to the best of my knowledge, information, and belief.

2. On February 19, 2003, at approximately 10:45 A.M., the PNC Bank, 801 Christian Street, Philadelphia, Pennsylvania, was robbed by two black males. PNC Bank is a federally insured institution with the Federal Deposit Insurance Corporation (FDIC). According to a bank teller, the first black male (Subject 1) entered the bank carrying a silver and black gun with a long ammunition clip and ordered people to the side of the bank. Subject 1 directed the tellers to give the money to a second black male (Subject 2) who was standing at the counter with a pillow case. Bank employees gave Subject 2 approximately \$1200 in United States currency. Subject 1 instructed Subject 2 to "come on" and then calmly walked out of the bank with Subject 1 holding the gun and Subject 2 carrying the pillow case with United States Currency stolen from the bank. Witnesses described Subject 1 as wearing a long navy coat. The videotape from the bank's surveillance camera shows Subject 1 as a black male wearing a long dark "puffy" coat over a gray hooded sweatshirt.

3. At approximately 10:50 A.M., Philadelphia Police Officers Robert Veasey, badge #7335, and Edward Kiely, badge number #9721 were driving their patrol car westbound on the 700 block of Christian Street, approximately ½ block from PNC Bank. They observed a black male, subsequently identified as defendant LAKEE HERRING, walking on the north side of Christian Street in their direction with the barrel of a "long gun" sticking out from the bottom of a long jacket. The officers also observed a second black male walking on the south side of the 700 block of Christian street. Officers Veasey and Kiely attempted to get out of their vehicle but HERRING pointed the gun at them and said, "Don't do it, don't do it!"

4. Officers Veasey and Kiely took cover in their patrol car and observed HERRING run toward a parking lot on the 700 block of Christian street and enter a blue Chevrolet Lumina. HERRING then drove eastbound on Christian street at a high rate of speed. HERRING turned the Lumina south on 4th street. At the intersection of 4th street and Reed Street, the Lumina struck and a white colored Ford Bronco that was ahead of it in the lane of traffic.

5. The driver of the Ford Bronco (Driver 1), a white male, advised that he was driving the Bronco south on 4th street at the intersection with Reed Street when it was struck in the rear bumper by the Chevrolet Lumina driven by HERRING. Driver 1 exited the Bronco. Driver 1's mother remained sitting in the front passenger seat of the Bronco. HERRING exited

the Lumina carrying a rifle that Driver 1 described as an AK-47 or Chinese SKS assault weapon with black colored shoulder stock. HERRING pointed the gun at Driver 1 and told him to get out of the Bronco. Driver 1 refused to surrender his vehicle. HERRING then fled south on 4th Street. Driver 1 hid behind his driver side door. Shortly thereafter, he heard a gun shot and looked up and observed HERRING standing on 4th Street south of the intersection with Reed Street pointing the assault weapon northbound toward Philadelphia police officers who were running toward the intersection.

6. A female pedestrian walking west on Reed Street (Pedestrian 1) advised that she saw HERRING arguing with a white male next to a white Ford Bronco stopped at the intersection of 4th Street and Reed Street. Pedestrian 1 heard HERRING yell to the white male to get out of the vehicle. HERRING then ran backward across Reed Street, raised a black gun to his shoulder and fired it. Pedestrian 1 heard the shot and saw a puff of smoke come from the gun. HERRING then ran south on 4th street. Pedestrian 1 observed two uniformed Philadelphia police officers taking cover behind a vehicle parked on Reed Street. She heard two more shots come from the direction where HERRING had run. The two police officers then ran south on 4th Street in the direction HERRING had fled.

7. Officers Veasey and Kiely stopped their patrol car on 4th Street approximately ½ block north of Reed Street and pursued HERRING on foot. HERRING turned around in the middle of the intersection of 4th Street and Reed Street and shot the rifle at them. HERRING fled south on 4th Street, turned in the street, fired two more rounds at them, stumbled in a snow pile on the west side of 4th Street and continued running south. Officers Veasey and Kiely pursued HERRING. In the snow near where HERRING had stumbled, they located a black and silver Norinco SKS semi-automatic assault rifle with a 30 round "banana clip." The round was jammed in the chamber of the assault rifle. The appearance of this assault rifle is consistent with the description of the weapon used by Subject 1 in the bank robbery and with the descriptions provided by Driver 1 and Pedestrian 1.

8. A Hispanic male (Pedestrian 2) alerted the Officers that HERRING had just broken in the door to his home on Dickinson Street and had run inside the residence. Pedestrian 2 advised that he had been shopping around the corner from his home when he heard gun shots. He came out of the store to see HERRING running south on 4th street, wearing a black jacket with grey "hoodie" and carrying a black colored gun that looked like an AK-47. Pedestrian 2 saw HERRING fire the gun twice toward the police and then drop it in the snow before HERRING turned the corner onto Dickinson street and kicked in the front door of Pedestrian 2's house. Pedestrian 2 told uniformed police and plain clothes detectives that were running to the area that HERRING might run out the back door of Pedestrian 2's house and into the rear alley.

9. Detectives James Keller and Derek Kephart, Philadelphia Police Department Special Victims Unit, responded to a police radio call for a pursuit in the area of Dickinson and 4th Street. Along with Officers Veasey and Kiely, Detectives Keller and Kephart cornered HERRING behind a cinder block wall at the rear of Pedestrian 2's house. HERRING

was arrested and held at the scene in a police van after Officers Veasey and Kiely identified HERRING as the man they had attempted to stop on the 700 block of Christian street and who had fired the assault weapon at them.


10. At the time of his arrest, HERRING was wearing a long navy “puffy” coat with a gray hooded sweatshirt underneath.

11. After being interviewed by agents, Driver 1, Pedestrian 1, and Pedestrian 2 each separately observed HERRING while he was seated in the back of the police van and each witness identified HERRING as the man they had seen shooting a black rifle in the area of 4th Street and Reed Street.

12. Three PNC bank employees and a bank customer were transported to the area of 4th and Reed Street where HERRING was seated in the back of a police van. Two of the bank employees and the bank customer independently identified HERRING as the black male (Subject 1) who had held a rifle while robbing PNC bank that morning. The third PNC bank employee stated that she had not had sufficient opportunity to view Subject 1 during the robbery and therefore was unable to make an identification.

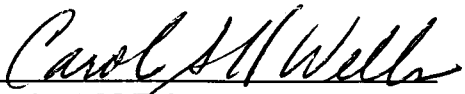
13. For the foregoing reasons, I have probable cause to believe that LAKEE HERRING committed armed bank robbery of the PNC Bank, 801 Christian Street, Philadelphia, PA, in violation of Title 18, United States Code, Section 2113(d); that during and in relation to that armed bank robbery, LAKEE HERRING brandished a semi-automatic assault weapon, in

violation of Title 18, United States Code, Section 924(c)(1)(A)(ii) and (B)(i); and that LAKEE HERRING committed attempted carjacking, in violation of Title 18, United States Code, section 2119.



THOMAS SCANZANO
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to
before me this 19th
day of February, 2003.



HONORABLE CAROL SANDRA MOORE WELLS
United States Magistrate Judge